

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CRUZ HOWELL,

Petitioner,

v.

TROY DOYLE,

Respondent.

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No. 4:19-CV-1397 JMB

MEMORANDUM AND ORDER

This matter is before the Court upon review of petitioner's pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. The petition is defective because it has not been drafted on a Court-provided form. *See* Local Rule 2.06(A). Additionally, petitioner has not paid the \$5 filing fee or filed a motion to proceed in forma pauperis. *See* 28 U.S.C. § 1915(a).

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall mail to petitioner a copy of the Court's form petition for a writ of habeas corpus under 28 U.S.C. § 2241.

IT IS FURTHER ORDERED that the Clerk shall mail to petitioner a copy of the Court's application to proceed in district court without prepaying fees or costs.

IT IS FURTHER ORDERED that petitioner shall file an amended petition on the Court-provided form within twenty-one (21) days of the date of this Order. Petitioner is advised that his amended petition will take the place of his original petition and will be the only pleading that this Court will review.

IT IS FURTHER ORDERED that petitioner shall either pay the \$5 filing fee or submit an application to proceed in district court without prepaying fees or costs within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 4th day of June, 2019.

/s/ *John M. Bodenhausen*
JOHN M. BODENHAUSEN
UNITED STATES MAGISTRATE JUDGE